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**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of

Docket No: A8692 / SVL920010023US1

KAUFFMAN, Steven V., et al.

Appln. No.: 09/829,584

Group Art Unit: 2173

Confirmation No.: 7961

Examiner: Basom, Blaine T

Filed: April 09, 2001

For: PROXY CONTENT EDITING SYSTEM

**SUBMISSION OF REPLACEMENT APPEAL BRIEF**

**MAIL STOP APPEAL BRIEF - PATENTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants filed an *Appeal Brief Under 37 C.F.R. § 41.37* (hereinafter "*Appeal Brief*") in the above-captioned Application on October 17, 2005.

The USPTO issued a *Notification of Non-Compliant Appeal Brief* (hereinafter "*Notification*") on January 12, 2006.


The *Notification* indicates that the October 17, 2005 *Appeal Brief* was not entered, because the *Appeal Brief* allegedly: (1) fails to "present an argument under a separate heading for each ground of rejection on appeal (37 C.F.R. § 41.37(c)(1)(vi));" and (2) "does not contain a correct copy of the appealed claims as an appendix thereto (37 C.F.R. § 41.37(c)(1)(viii))."

Regarding item (1), Applicants submit herewith a *Replacement Appeal Brief Under 37 C.F.R. § 41.37* that includes section VII(9), which is specifically directed to the current rejection of claims 5, 30 and 55.

Regarding item (2), Applicants note that the Examiner has not entered the October 17, 2005 *Amendment Under 37 C.F.R. § 1.116*, even though it was directed merely to correcting simple antecedent basis issues with respect to dependent claims 82-84. Applicants will now correct these issues by later *Amendment*. In any event, the *Replacement Appeal Brief Under 37 C.F.R. § 41.37* submitted herewith lists the appealed claims without the changes in the October 17, 2005 *Amendment Under 37 C.F.R. § 1.116*.

No fees are believed to be necessary in conjunction with this filing, as Applicants have already paid the \$500 Appeal Brief Submission Fee on October 17, 2005. However, the USPTO is directed and authorized to charge all required fees (except for the Issue Fee and the Publication Fee) to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: February 13, 2006



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**REPLACEMENT APPEAL BRIEF UNDER 37 C.F.R. § 41.37**

**MAIL STOP APPEAL BRIEF - PATENTS**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. § 41.37, Appellant submits the following:

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**I. REAL PARTY IN INTEREST**

The real party in interest is INTERNATIONAL BUSINESS MACHINES CORPORATION by virtue of an assignment executed by Steven V. Kaufman and Rainer Richter (hereinafter "Appellants") on April 2, 2001.

## **II. RELATED APPEALS AND INTERFERENCES**

To the best of the knowledge and belief of the Appellant, the Assignee and the undersigned, there are no other appeals or interferences before the Board of Appeals and Interferences (“the Board”) that will directly affect, or be affected by, the Board’s decision in the present Appeal.

### **III. STATUS OF CLAIMS**

Claims 1-103 are all the claims pending in the Application.

Claims 1-4, 6-29, 31-54 and 56-103 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Loveman et al.* (US 6,211,869; hereinafter “*Loveman*”), in view of *Clarin et al.* (US 6,414,725; hereinafter “*Clarin*”).

Claims 5, 30 and 55 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Loveman* in view *Clarin* and a printout from *VideoUniversity.com* (hereinafter “*VideoUniversity*”).

#### **IV. STATUS OF AMENDMENTS**

An *Amendment Under 37 C.F.R. § 1.116* was filed on July 13, 2005, in response to the Final *Office Action* dated May 13, 2005. The July 13, 2005 *Amendment* made a minor change to dependent claim 22 to correct a typographical error. The August 5, 2005 *Advisory Action* indicates that the July 13, 2005 *Amendment* was entered.

Additionally, a *Supplemental Amendment Under 37 C.F.R. § 1.116* was filed on October 17, 2005 to correct an inconsistency between: (1) independent claims 1, 26 and 51; and (2) dependent claims 82-84, respectively. This *Supplemental Amendment* was not entered by the Examiner for the reasons indicated in the January 12, 2006 *Notification of Non-Compliant Appeal Brief*.

No other amendment or response was filed subsequent to the May 13, 2005 Final *Office Action*.

## **V. SUMMARY OF THE CLAIMED SUBJECT MATTER**

To explain the invention for the Board's convenience, Appellants will first describe the relevant art (pp. 1-2 of the Specification), and then the exemplary embodiments of the invention (pp. 3-23 of the Specification). Portions of the claims that correspond to the features shown in the exemplary embodiments are also referenced during this discussion (portions of independent claims 1, 22, 24, 26, 47, 49, 51, 72, 74, 76, 77 and 78 are provided in block quotes for easy identification). This discussion of the exemplary embodiments and the pending claims is provided for explanatory purposes only, and is not intended to limit the scope of the claims.

### **V(I). Relevant Art**

The instant Application relates generally to digital archives, and more particularly, to the digitization, cataloging, storage, access, retrieval and editing of content such as video data (p. 1, lines 2-3).

In related art archive systems, thousands of hours of video content may be stored on videotape for use in television programs. However, these television programs generally require that the video content be available for editing in a very short timeframe, and the use of videotape, hampers efficient access and review (p. 1, lines 6-17).

While storage of video content in a digital archive would permit faster access thereto, the video content must be digitized at a high or broadcast resolution to meet production quality. Unfortunately, at such a high resolution, more bandwidth is required to retrieve information from the archive, resulting in a slower and/or costlier retrieval system (p. 1, line 18 - p. 2, line 4).

Thus, Appellants sought to provide a digitally based video editing system that permits both: (1) quick access to content for editing; and (2) a high quality content stream suitable for televising (p. 1, line 18 - p. 2, line 4).

V(II). Exemplary Embodiments of the Invention

Accordingly, Appellants' invention is directed to a system for digitizing existing video content and for the editing thereof to produce programming. As shown in FIG. 1 (reproduced to the right for convenience), the system includes three main parts: ingest 10, storage 20, and retrieval 30 (p. 3, lines 8-16).

As shown in FIG. 1, data flows through two parallel paths. High resolution format path 8 (to the right), stores "full" resolution data for broadcast quality uses. Low resolution format/meta data path 6 (to the left) stores a compressed video summary and text descriptions intended for editing. The two paths are linked at the beginning by the video source 11, and during the retrieval process via EDL 31 (p. 3, line 16 - p. 4, line 7; p. 7, lines 5-22).

The ingest part 10 digitizes an incoming analog video stream 14 by encoding it as a first file with a low resolution format (*e.g.*, MPEG1 at 1.5 Mbps) via a low resolution encoder (not shown) in ingest station 12<sup>2</sup>, and a second file with a high resolution format (*e.g.*, MPEG2 at 48 Mbps) via high resolution encoder 13.<sup>3</sup> The encoded data may also be annotated with meta data (*e.g.*, user input, legacy data, storyboards, and speech-to-text processing of the audio stream).

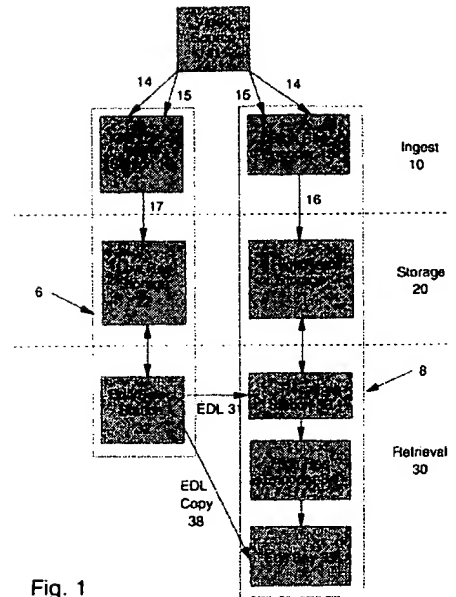


Fig. 1

<sup>2</sup> This supports claim 2, 27 and 52's recitation that "the first format comprises low resolution digitized video content," claim 4, 29 and 54's recitation that "the first format comprises MPEG1."

<sup>3</sup> This supports claim 3, 28 and 53's recitation that "the second format comprises high resolution digitized video content," and claim 5, 30 and 55's recitation that "the second format comprises MPEG2."

The output 15 of a time code generator is provided so that time codes between the MPEG1 and MPEG2 may be synchronized (p. 4, lines 17-21).

Although the above illustration shows two paths for high and low resolution formats, the present embodiment includes three resolutions. Thumbnails are stored at an even lower resolution than the MPEG1 content, and are used in the selection and editing processes described below (p. 6, lines 6-13).<sup>4</sup>

The above corresponds to the following portions of the independent claims:

1. A content production system, comprising: an ingest system for receiving content in an initial format and reformatting the received content into content having a first format with a lower resolution, content having a second format with a higher resolution, and content having a third format with a lowest resolution ...

26. A method for producing content, comprising the steps of:  
receiving content in an initial format and reformatting the received content into content having a first format with a lower resolution, content having a second format with a higher resolution, and content having a third format with a lowest resolution ...

51. A program product containing instructions executable by a computer, the instructions embodying a method for producing content, comprising the steps of:

receiving content in an initial format and reformatting the received content into content having a first format with a lower resolution, content having a second format with a higher resolution, and content having a third format with a lowest resolution ...

77. A method for producing content, comprising the steps of:

receiving content in an initial format and reformatting the received content into three content formats, each having a different resolution ...

76. A content production system, comprising:

an ingest system for receiving content in an initial format and reformatting the received content into three content formats, each having a different resolution ...

78. A program product containing instructions executable by a computer, the instructions embodying a method for producing content, comprising the steps of:

receiving content in an initial format and reformatting the received content into three content formats, each having a different resolution ...

---

<sup>4</sup> This supports claim 98-100's recitation that "the third format comprises thumbnail representations of the content having a first format, and is used as metadata of the first format."

The ingest part 10 is shown in more detail in FIG.

2A (reproduced to the right). Specifically, an ingest station 40 is provided with a video tape recorder (VTR) 41 connected to a workstation 42 with a low resolution encoder 45 (e.g., a PCI MPEG1 encoder card). The station 40 also includes a link 43 (e.g., an ethernet or RS422 connection) to a high resolution encoder 13 (e.g., a MPEG2 encoder), and a control link 47 to the VTR (p. 7, lines 5-16).

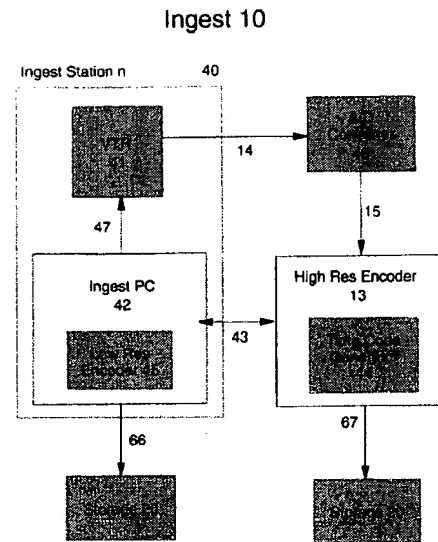


Fig. 2A

The ingest part 10 operates by sending an analog stream 14<sup>5</sup> from VTR 41 to be converted by analog to digital converter 48 to a digital stream 15, which is then sent to high resolution encoder 13. In addition to encoding data in high resolution with timecode metadata (MPEG2), the high resolution encoder 13 converts the digital stream back to analog, and provides it as input to low resolution encoder 45 over link 43, which then encodes the stream in low resolution (MPEG1) (p. 7, line 21 - p. 8, line 11).

In order to provide a correspondence between the MPEG1 and MPEG2 streams, timecodes are used. However, since MPEG1 does not support timecode metadata (unlike MPEG2), the high resolution encoder superimposes timecodes into the analog video images themselves, e.g. by burning the timecodes on MPEG1 frames. An example of this process is

<sup>5</sup> This supports claim 11, 36 and 61's recitation that "the initial format is analog."

shown in FIG. 2B (reproduced to the right), wherein MPEG1 file 101 includes frame number 1072 (element 102), which has a timecode 104 (“01:00:50:02”) superimposed on image frame 103. The timecodes may later be extracted from the MPEG1 frame by using, for example, optical character recognition (OCR) technology, so that the system can calibrate itself to relate the MPEG1 and MPEG2 files (e.g., MPEG2 file 105 has a frame 106 with metadata timecode “50:02”) to each other (p. 8, line 12 - p. 9, line 9; p. 9, line 23 - p. 10, line 10).<sup>6</sup>

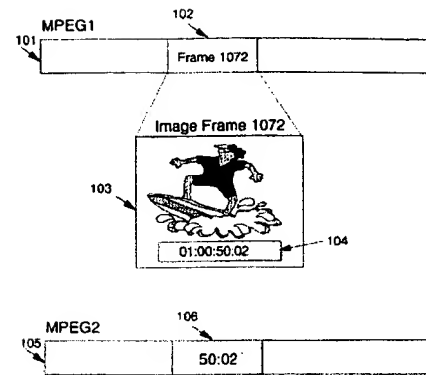


Fig. 2B

In any case, the encoding process needs to ensure that the MPEG1 and MPEG2 timecodes align as much as possible. Thus, in addition to the above, a verification process occurs, in which the user reviews a portion of the MPEG1 recording and is asked by the application to enter the timecode appearing on a current video frame as an input in an entry field. Alternatively, an automated version of this process may be applied (p. 9, lines 10-22).<sup>7</sup>

---

<sup>6</sup> This supports claim 14, 39 and 64’s recitation that “timecodes identifying corresponding portions of the lower resolution and higher resolution content are stored with the lower resolution and higher resolution content, respectively,” and claim 16, 41 and 66’s recitation that timecodes are superimposed “on individual image frames of the lower resolution content so that the timecodes may be read ... after storage.”

<sup>7</sup> This supports claims 79-81’s recitation of performing a “verification process to determine correspondence between the content having a first format and the content having a second format.”

The process of ingesting video data is further shown in FIG. 3 (reproduced to the right). First, an ingest operator selects a tape (step 51), and a unique tape identifier is entered (step 52). Next, the ingest operator loads the tape, where its data is read and sent to separate inputs and encoded (step 53). The respective files are then stored, along with metadata regarding the files (step 54). The metadata can be, *inter alia*: a storyboard (*e.g.*, thumbnails of scene changes from the file), a primary thumbnail (*e.g.*, an image thumbnail from the file), text, an audio transcript, a word processing format transcript, or a speech-to-text annotation.<sup>8</sup> Once processing is completed, the MPEG1 file and metadata are grouped together and presented to the user for final review (step 55). The above process can be performed in a web browser (p. 11, line 13 - p. 14, line 13).<sup>2</sup>

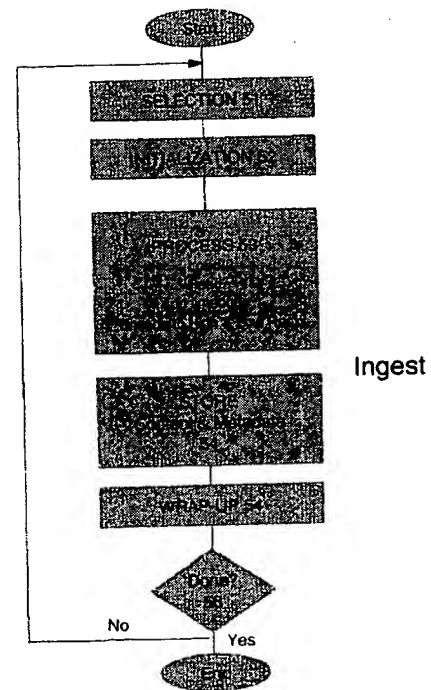


Fig. 3

<sup>8</sup> This supports claim 12, 37 and 62's recitation of "adding metadata to the stored content," and claim 13, 38 and 63's recitation that "the metadata consists of at least one of: user input, legacy data, a thumbnail, a storyboard, transcription information, speech-to-text processing of an audio stream associated with the input content, and speech-to-text annotation."

<sup>2</sup> This supports claim 6, 31 and 56's recitation that "the ingest system is web-based."

Once the video is digitized and the descriptive data is collected and generated, the data is forwarded to the storage system 20. MPEG2 data is sent to an archival, slower access, high resolution storage system 21 (e.g., a magnetic tape based system)<sup>10</sup> and the MPEG1 and descriptive data in a faster access low resolution storage system 22 (e.g., a digital library with media streaming capability).<sup>11</sup> The Content Manager 22 provides an interface for searching and browsing the video meta data (p. 14, line 15 - p. 16, line 8).

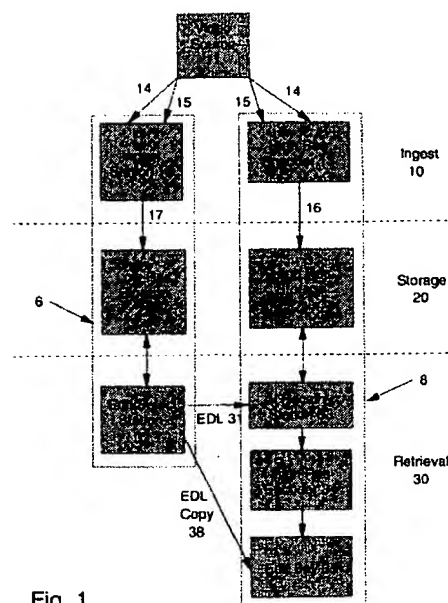


Fig. 1

The above corresponds to the following portions of the independent claims:

1. ... storage for storing the lower resolution content and lowest resolution content in a fast access storage and higher resolution content in a high capacity storage, wherein the fast access storage is accessible more quickly than the high capacity storage ...

26. ... storing the lower resolution content and lowest resolution content in a fast access storage and the higher resolution content in a high capacity storage, wherein the fast access storage is accessible more quickly than the high capacity storage;

51. ... storing the lower resolution content and lowest resolution content in a fast access storage and the higher resolution content in a high capacity storage, wherein the fast access storage is accessible more quickly than the high capacity storage;

22. A content editing system, comprising:

storage storing content in a low resolution format and content in a lowest resolution format in a fast access storage and storing content in a high resolution format in a high

47. A content editing method, comprising the steps of:

storing content in a low resolution format and content in a lowest resolution format in a fast access storage and storing content in a high resolution format in a high capacity

72. A program product containing instructions executable by a computer, the instructions embodying a content editing method, comprising:

storing content in a low resolution format and content in a lowest resolution format in a fast access

<sup>10</sup> This supports claim 10, 35 and 60's recitation that "the higher resolution content is stored on tape storage."

<sup>11</sup> This supports claim 8, 33 and 58's recitation that "a portion of the lower resolution content is stored in fast-access storage during editing," and claim 9, 34 and 59's recitation that "the fast-access storage consists of at least one of: disk storage, optical storage, and memory," and claim 86-97's recitation that "the fast access storage is a digital library with media streaming capability."

capacity storage, wherein the fast access storage is accessible more quickly than the high capacity storage ...

storage, wherein the fast access storage is accessible more quickly than the high capacity storage;

storage and storing content in a high resolution format in a high capacity storage, wherein the fast access storage is accessible more quickly than the high capacity storage;

76. ... storage for storing the content of different resolutions in a fast access storage and a high capacity storage, wherein the fast access storage is accessible more quickly than the high capacity storage ...

77. ... storing the content of different resolutions in a fast access storage and a high capacity storage, wherein the fast access storage is accessible more quickly than the high capacity storage ...

78. ... storing the content of different resolutions in a fast access storage and a high capacity storage, wherein the fast access storage is accessible more quickly than the high capacity storage ...

Once the video data is stored, it may be retrieved for editing and use. The retrieval stage 30 that performs this retrieval consists of two main parts: the edit/selection operation (block 32 in MPEG1/meta data path 6); and the batch recall operation (recall station 33 in MPEG2 path 8) (p. 4, lines 22-23; p. 5, lines 11-13).

The edit/section process 32 of FIG. 1 is shown in more detail in FIGS. 5-6B (reproduced herein). In FIG. 5, video editing system is hosted on server 68, and can therefore operate without custom software on the edit/selection client machines 32 (e.g., PC's with web browsers), which are provided to review and select the archived video assets. This web-based system enables collaboration between video editors, and allows multiple

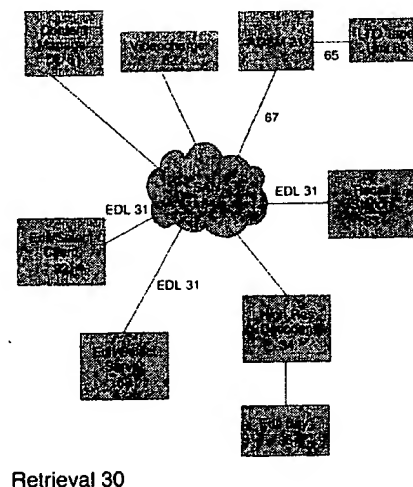


Fig. 5

users to share the same collection of video storage hardware 20, video content, video processing hardware 34, and video software (p. 16, lines 10-16).<sup>12</sup>

<sup>12</sup> This supports claim 7, 32 and 57's recitation that the method or station "is web-based."

In use, a producer may search for content via metadata (*e.g.*, text strings or keywords), and then review the returned thumbnails, text descriptions and storyboards to select segments for subsequent processing.<sup>13</sup> Once returned, the user can view the MPEG1 video to decide which segments to use. Selected segments are then placed in a list to generate an Edit Decision List “EDL” (*e.g.*, a non-hierarchical list of video segments with file names and start/stop timecodes).<sup>14</sup> The producer is able to view, select, trim and order segments from the list to produce the final EDL 31,<sup>15,16</sup> which is then sent to the high resolution recall process 33<sup>17</sup> and used as a reference for indicating which MPEG2 files are to be recalled from tape. EDL's 31 are saved on the web server 68, so that they can be shared with other users.<sup>18</sup> The search, browse and EDL creation operations of the present embodiment are provided via a combination of Web, Java and/or C applications, for example (p. 16, line 17 - p. 18, line 6).

The above corresponds to the following portions of the independent claims:

1. ... an edit station for selecting a portion of content from the lower resolution content using a browser ...

26. ... selecting a portion of content from the lower resolution content using a browser ...

51. ... selecting a portion of content from the lower resolution content using a browser ...

22. ... a server hosting a content-editing application enabling selection

47. ... enabling selection of a portion of the low resolution content;

72. ... enabling selection of a portion of the low resolution content;

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<sup>13</sup> This supports claim 17, 42 and 67's recitation of “searching the lower resolution content based on user-specified criteria.”

<sup>14</sup> This supports claim 19, 44 and 69's recitation that “creating a list of selected portions of lower resolution content.”

<sup>15</sup> This supports claim 20, 45 and 70's recitation of “modifying the list.”

<sup>16</sup> This supports claim 18, 43 and 68's recitation of “viewing the lower resolution content and selecting desired portions therefrom.”

<sup>17</sup> This supports claim 21's recitation that “the edit station provides the list to the retrieval apparatus,” and claim 46 and 71's recitation that “the description further comprises the list.”

<sup>18</sup> This supports claim 23, 25, 48, 50, 73, 75's recitation that “the edit list is sharable with others of the plurality of clients through the server.”

of a portion of the low resolution content;

a plurality of clients in communication with the server, each client enabled to run the content-editing application to select the portion of the low resolution content using a browser and from the selected portion, create an edit list for use in retrieving a corresponding portion of the high resolution content.

selecting the portion of the low resolution content using a browser and from the selected portion, creating an edit list for use in retrieving a corresponding portion of the high resolution content.

and selecting the portion of the low resolution content using a browser and from the selected portion, creating an edit list for use in retrieving corresponding portions of the high resolution content.

76. ... an edit station for selecting a portion of content from one of the content formats having a middle resolution of the three or more content formats stored in the fast access storage using a browser ...

77. ... selecting a portion of content from one of the content formats having a middle resolution of the three or more content formats stored in the fast access storage using a browser ...

78. ... selecting a portion of content from one of the content formats having a middle resolution of the three or more content formats stored in the fast access storage using a browser ...

24. (Previously Presented) A content editing software application, comprising:

server software enabling selection of a portion of low resolution content and lowest resolution content from a first stored file in a fast access storage accessible to a server;

client software for selecting the portion of the low resolution content using a browser and from the selected portion, creating an edit list for use in retrieving corresponding high resolution content from a second stored file in a high capacity storage accessible to the server, wherein the fast access storage is accessible more quickly than the high capacity storage.

49. (Previously Presented) A content editing method, comprising the steps of:

selecting a portion of lowest resolution content and low resolution content from a first stored file in a fast access storage using a browser and from the selected portion, creating an edit list for use in retrieving corresponding high resolution content from a second stored file in a high capacity storage, wherein the fast access storage is accessible more quickly than the high capacity storage.

74. A program product containing instructions executable by a computer, the instructions embodying a content editing method, comprising:

selecting a portion of lowest resolution content and low resolution content from a first stored file in a fast access storage using a browser and from the selected portion, creating an edit list for use in retrieving corresponding high resolution content from a second stored file in a high capacity storage, wherein the fast access storage is accessible more quickly than the high capacity storage.

The edit/selection process on client machines 32 is shown in more detail in FIG. 6A (reproduced to the right). First, a job identifier is created (step 81). Then, the producer enters a text query (step 82), which is sent to content manager 22 for processing. The content manager 22 then returns a result set of thumbnails (e.g., the third format of claim 1) and text for review by the producer (step 83). The producer then reviews a storyboard for the returned videos (step 84). The producer can then make his

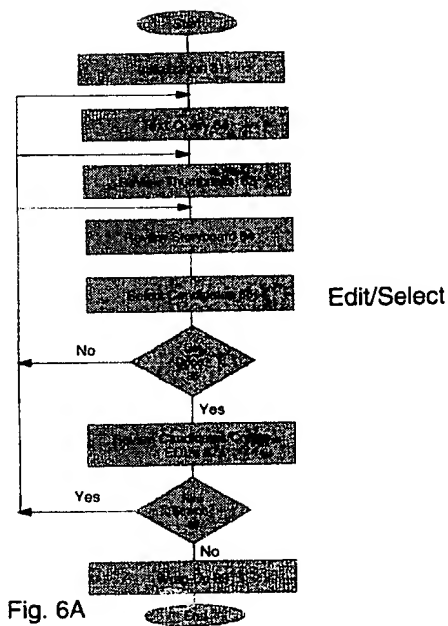


Fig. 6A

video selections to form a storyslug (step 85) (or EDL), and perform further trimming and editing (step 87).<sup>19</sup> All of these steps are performed using a graphical user interface on Edit/Select Client 32 (p. 18, line 8 - p. 20, line 13).<sup>20</sup>

An exemplary EDL 15 is shown in FIG. 6B, which is reproduced to the right for convenience. EDL 15 is essentially a list of selected video segments identified by video ID number (col. 111), starting marker (col. 112), and ending marker (column 113) (p. 20, lines 14-23).

EDL 31

VideoID	Starting Frame No	Ending Frame No.
01	1001	1132
01	528	601
05	44	92
12	2255	2600
07	144	519

Fig. 6B

<sup>19</sup> This supports claim 101-103's recitation of "searching the content having the first format, reviewing the content of the third format as metadata of the content having the first format, and preparing a storyboard using the content having the third format."

<sup>20</sup> This supports claim 85's recitation of "a server hosting a content-editing application also enables access and viewing of the low resolution content; and each of the plurality of clients are enabled to run the content-editing application to search and view the low resolution content."

Lastly, once EDL creation is complete, the producer can submit and save the EDL to Content Manager server 61 (step 89). Upon submission, the EDL 31 is sent to the MPEG2 recall facility 33 so that the corresponding MPEG2 video segments can be retrieved from the archive and sent to the Profile decoding machine 34 (p. 21, lines 4-11).

The batch recall operation 33 of FIG. 1 is shown in more detail in FIG. 7 (reproduced to the right). First, the MPEG2 Recall station 33 receives the EDL 31 from the Edit/Selection station 32 (step 91). Then, based on the contents of EDL 31, the desired parts of the MPEG2 files are identified by timecode<sup>21</sup> (step 92) and (if not already buffered), retrieved from storage (step 95). This process continues until all segments of the EDL are retrieved (step 96), when the EDL is closed (step 97). The MPEG2 files are then transferred to profile decoder 34 (step 99) (p. 22, lines 7-22).

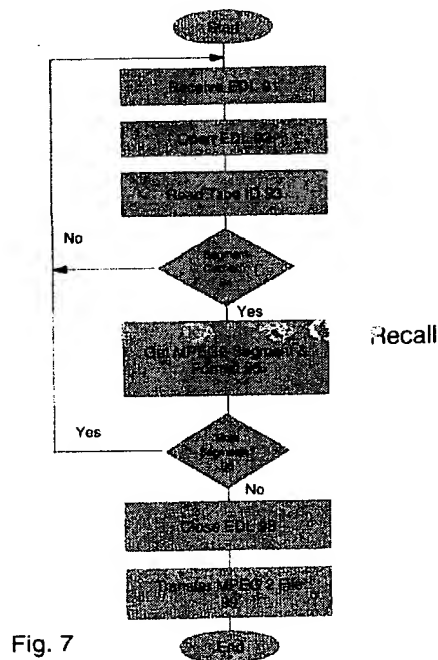


Fig. 7

Lastly, the profile decoder 34 reads the transferred MPEG2 file, converts it to MJPEG, and sends the file to edit bay 35 for final editing and use in a television program (p. 23, lines 1-3).<sup>22</sup>

1. ... retrieval apparatus for  
receiving a description of the selected

51. ... receiving a description of  
the selected portion and retrieving a

26. ... receiving a description of  
the selected portion and retrieving a

<sup>21</sup> This supports claim 15, 40 and 65's recitation that "timecodes associated with the selected portions of the lower resolution content are used ... to retrieve the corresponding portions of higher resolution content."

<sup>22</sup> This supports claim 82-84's recitation of "converting the portion of content from the higher resolution into content having a third format for final editing or broadcast."

portion from the edit station and  
retrieving a portion of content from  
the higher resolution content  
corresponding to the selected portion.

portion of content from the higher  
resolution content corresponding to  
the selected portion.

portion of content from the higher  
resolution content corresponding to  
the selected portion.

77. ... receiving a description of  
the selected portion of content and  
retrieving a portion of content from  
another of the content formats stored  
in the high capacity storage  
corresponding to the selected portion.

76. ... retrieval apparatus for  
receiving a description of the selected  
portion from the edit station and  
retrieving a portion of content from  
another of the content formats stored  
in the high capacity storage  
corresponding to the selected portion.

78. ... receiving a description of  
the selected portion of content and  
retrieving a portion of content from  
another of the content formats stored  
in the high capacity storage  
corresponding to the selected portion.

**VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

Whether or not claims 1-4, 6-29, 31-54 and 56-103 are patentable over *Loveman* and

*Clarin*.

Whether or not claims 5, 30 and 55 are patentable over *Loveman*, *Clarin*, and

*VideoUniversity*.

## VII. ARGUMENT

### VII(1). The Current Rejection

As noted above, the May 13, 2005 Final *Office Action* rejects, under 35 U.S.C. § 103(a), claims 1-4, 6-29, 31-54 and 56-103 as being unpatentable over *Loveman et al.* (US 6,211,869; hereinafter “*Loveman*”), in view of *Clarin et al.* (US 6,414,725; hereinafter “*Clarin*”).

### VII(2). No Combination of The Applied References Teaches Or Suggests All The Features Of The Independent Claims

As an initial matter, Appellants respectfully submit that:

(a) one of ordinary skill in the art at the time of the invention (hereinafter “one of skill”) would not have been motivated to modify *Loveman* in view of *Clarin* (with or without *VideoUniversity*) as the Examiner alleges; and

(b) even if it were possible to modify *Loveman* in view of *Clarin* (with or without *VideoUniversity*) as the Examiner alleges, Appellants respectfully submit that neither reference, nor any reasonable combination thereof, teaches or suggests all of the features of independent claims 1, 22, 24, 26, 47, 49, 51, 72, 74, 76, 77 and 78.

Accordingly, it is respectfully submitted that a *prima facie* case of obviousness has not been established with respect to independent claims 1, 22, 24, 26, 47, 49, 51, 72, 74, 76, 77 and 78.

### VII(3). One Of Ordinary Skill Would Not Have Modified Loveman In View Of Clarin

In the Final *Office Action*, it is alleged that *Loveman* discloses many of the features of independent claims 1, 22, 24, 26, 47, 49, 51, 72, 74, 76, 77 and 78. However, the Examiner concedes that *Loveman* does not disclose that “the edit station comprises a browser to selection [sic - select] portions of the lower resolution content.” Nevertheless, the Examiner cites *Clarin*

as allegedly disclosing such a feature, and asserts that it would have been obvious to use the browser of *Clarin* in the edit station of *Loveman* because *Clarin* allegedly teaches that “browsers are inexpensive, readily available, and provide a familiar graphical interface” (O.A., pg. 5).

However, Appellants respectfully disagree, and submit that one of skill would not have been motivated to modify *Loveman* in view of *Clarin* as the Examiner alleges.

First, *Loveman* discloses an editing system using particular fat client software that provides many different functions. *Loveman* provides no indication that this fat client software is in any way deficient with respect to these required features. Thus, to support the current rejection, *Clarin* must disclose both a browser capable of use within the *Loveman* system, and the requisite motivation to modify *Loveman* to use such a browser therein.

However, *Clarin* is deficient in this regard, as *Clarin* fails to teach or suggest that its browser would be any improvement over the fat client software used in *Loveman*. Further, *Clarin* does not indicate that its browser is capable of performing all of the functions required by *Loveman*’s fat client software (e.g., storyboard creation).

Thus, one of skill would not have looked to *Clarin* to modify *Loveman*.

VII(4). Independent Claims 1, 26 and 51 Are Patentable Over The Applied References

Regarding independent claims 1, 26, 51, Appellants respectfully submit that the proffered combination of *Loveman* and *Clarin* fails to teach or suggest “receiving content in an initial format and reformatting the received content into content having a first format with a lower resolution, content having a second format with a higher resolution, and content having a third format with a lowest resolution.”

The Examiner alleges that these features are disclosed in *Loveman*. Specifically, the Examiner first alleges that col. 4, lines 28-46, col. 13, lines 14-20 and col. 14, lines 13-22

disclose receiving content in an initial format and reformatting “the received content into a first version having a first format and a second version having a second format, wherein the second version has a higher resolution than the first version” (*O.A.*, pg. 4, lines 6-10).

Thus, according to Appellants’ understanding, the Examiner is alleging that, for example, first encoder 712 encodes incoming video in a “first format with a lower resolution” and second encoder 716 encodes video in a “second format with a higher resolution.”

However, the Examiner does not cite any particular encoder as being capable of encoding “content having a third format with a lowest resolution.” Rather, the Examiner alleges that the edit station (see *O.A.*, pg. 5, line 16 - pg. 6, line 2) has:

a graphical user interface with a storyboard window, displaying a plurality of clips representing portions of the low resolution content (see column 17, line 55 - column 18, line 25). These clips, each depicted as a small rectangular object showing a frame of the corresponding low resolution content, may be selected in order to play its corresponding low resolution content (see column 18, lines 11-25; column 18, lines 47-55; and figure 11). Since these clips each show a small sample of the initial content, they are considered a format of the initial content, and since they are depicted within a smaller area than the low resolution content and only comprise a single frame, they are understood to be of a lower resolution than the low resolution content.

Thus, according to Appellants’ understanding, the Examiner is alleging that either the low resolution video shown in window 510 or the clips 532 in storyboard window 530 of user interface 500 of *Loveman* show video that is of a different resolution than the low resolution video encoded by, *e.g.*, first encoder 712. Appellants respectfully disagree, and submit that such a reading is unsupported by *Loveman*.

Specifically, *Loveman* discloses a digital multimedia system 50 that “simultaneously encodes a low resolution version and a high resolution version of multimedia data” (col. 4, lines 32-35). This system allows a user to generate “a composition using a portion of the first

compressed version” of multimedia data, and play “the composition using a portion of the second compressed version that corresponds to the first compressed version” (col. 4, lines 56-60). To provide this functionality, Loveman discloses only two kinds of video encoders, high resolution encoders 716, 816 and low resolution encoders 710, 810 (col. 5, line 63 - col. 6, line 19; col. 7, line 38 - col. 8, line 17). *Loveman* does not disclose any type of encoder other than these two types of encoders, and it is respectfully submitted that *Loveman* provides no teaching or suggestion of encoding video in a format with a resolution other than the resolutions of the disclosed matched pair of high and low resolution data.

Turning to *Loveman*’s user interface 500 (see FIG. 11, col. 17, line 65 - col. 18, line 3), which is cited in the *Office Action*, a viewing window 510 is provided that “displays a low resolution video component of low resolution media data to be viewed and edited” (col. 18, lines 11-13) so that the low resolution media data can be edited (col. 18, lines 15-16). Thus, since *Loveman* discloses only a high resolution video encoder and a low resolution video encoder, Appellants respectfully submit that the video displayed in window 510 is actually the video part (*i.e.*, component) of the low resolution media data, and therefore that the resolution of this displayed video is no different than the resolution of the low resolution media data.

Further, user interface 500 of *Loveman* also includes a storyboard window 530, which provides an area where a user can lay out a sequence of clips 532 of the low resolution video. These clips 532, which are also cited by the Examiner above, show a frame of the respective clip of the low resolution video for identification (col. 18, lines 47-52).

While the Examiner alleges that “[s]ince these clips ... are depicted within a smaller area than the low resolution content and only comprise a single frame, they are understood to be of a lower resolution than the low resolution content,” Appellants respectfully disagree. Appellants

respectfully submit that, while clips 532 of low resolution video appear to be smaller than the low resolution video shown in window 510 in Figure 11, this appearance alone cannot support a reading of *Loveman* as teaching or suggesting that clips 532 are of different resolution than low resolution video in window 510.

As an initial matter, it is improper to rely upon a figure of a cited reference to provide support for a reading that is dependent upon the dimensions of that figure, as it has long been held that, “[w]hen the reference does not disclose that the drawings are to scale and is silent as to dimensions, arguments based on measurement of the drawing features are of little value. See *Hockerson-Halberstadt, Inc. v. Avia Group Int’l*, 222 F.3d 951, 956, USPQ2d 1487, 1491 (Fed. Cir. 2000); MPEP § 2125. Thus, to the extent that the instant rejections are based upon relative dimensions in Figure 11 of *Loveman*, they are improper. Since *Loveman* does not disclose that the drawings are to scale and provides no dimensions for the drawings.

Second, even if Figure 11 could be read in a manner similar to that described in the *Office Action*, Appellants respectfully submit that *Loveman* still fails to disclose that the resolution of clips 532 is in any way different than that of the low resolution video. Nor does *Loveman* (or any other applied reference) teach or suggest that: (1) there is any specific correspondence between resolution and clip size when a clip is displayed on a user interface; or (2) a single frame of a clip somehow has a different resolution than the rest of the clip, as alleged by the Examiner above. Rather, these reasons given in support of the instant rejection (reproduced above) seem to be based on assumptions, rather than the citation of a specific relationship disclosed in a specific reference, and are therefore improper.

Thus, Appellants respectfully submit that *Loveman* fails to teach or suggest that: (1) the encoded low resolution video; (2) the low resolution video shown in viewing window 510 of

user interface 500; and (3) the clips 532 of low resolution video in storyboard window 530 of user interface 500, are of any different resolution.

Additionally, Appellants respectfully submit that *Clarin* fails to teach or suggest the deficiencies of *Loveman*, and thus that no combination of these references teaches or suggests any video media data in a third resolution.

VII(5). Independent Claims 22, 47 and 72 Are Patentable Over The Applied References

Regarding independent claims 22, 47 and 72, Appellants respectfully submit that the proffered combination of *Loveman* and *Clarin* fails to teach or suggest “storing content in a low resolution format and content in a lowest resolution format in a fast access storage and storing content in a high resolution format in a high capacity storage, wherein the fast access storage is accessible more quickly than the high capacity storage,” for at least the reasons discussed above with respect to claims 1, 26 and 51 (*i.e.*, the failure of the applied references to teach or suggest the presence of “a low resolution format,” “a lowest resolution format,” and “a high resolution format”).

VII(6). Independent Claims 24, 49 and 74 Are Patentable Over The Applied References

Regarding independent claims 24, 49 and 74, Appellants respectfully submit that the proffered combination of *Loveman* and *Clarin* fails to teach or suggest “server software enabling selection of a portion of low resolution content and lowest resolution content from a first stored file in a fast access storage accessible to a server” (claim 24) or “selecting a portion of lowest resolution content and low resolution content from a first stored file in a fast access storage using a browser” (claims 49 and 74), for at least the reasons discussed above with respect to claims 1, 26 and 51 (*i.e.*, the failure of the applied references to teach or suggest the presence of “a low resolution format,” “a lowest resolution format,” and “a high resolution format”).

VII(7). Independent Claims 76, 77 and 78 Are Patentable Over The Applied References

Regarding independent claims 76, 77 and 78, Appellants respectfully submit that the proffered combination of *Loveman* and *Clarin* fails to teach or suggest “receiving content in an initial format and reformatting the received content into three content formats, each having a different resolution,” for at least the reasons discussed above with respect to claims 1, 26 and 51 (*i.e.*, the failure of the applied references to teach or suggest “three content formats”).

Accordingly, Appellants respectfully submit that independent claims 1, 22, 24, 26, 47, 49, 51, 72, 74, 76, 77, and 78 are patentable over the applied reference.

VII(8). Dependent Claims 2-4, 6-21, 23, 25, 27-29, 31-46, 48, 50, 52-54, 56-71, 73 and 75 Are Patentable Over The Applied References

Appellants respectfully submit that rejected dependent claims 2-4, 6-21, 23, 25, 27-29, 31-46, 48, 50, 52-54, 56-71, 73 and 75 are: (1) allowable at least by virtue of their dependency; and (2) separately patentable over the applied references.

For example, Appellants respectfully submit that dependent claim 16’s recitation that “the ingest system superimposes timecodes on individual image frames of the lower resolution content so that the timecodes may be read at the edit station after storage,” is not taught or suggested by any of the applied references.

Specifically, the Examiner alleges that timecodes are used on both the low and high resolution media data in *Loveman*, citing col. 20, lines 19-39 (O.A., pg. 9, last four lines). Appellants agree.

Further, the Examiner alleges that: (1) timecodes are “superimposed on images,” citing col. 18, lines 11-25 and element 516 in FIG. 11); and (2) “it is understood that there necessarily exists some mechanism which superimposes the timecodes over the individual frames of the

lower resolution content (Final *Office Action*, p. 10, first seven lines). Appellants disagree with both (1) and (2).

Specifically, FIG. 11, which is cited by the Examiner, is reproduced to the right. Col. 17, lines 65 - col. 18, line 60 describes the embodiment shown in FIG. 11. Specifically, user interface 500 includes viewing window 510, clipnotes window 520, storyboard window 530, storynotes window 540 and script window 550.

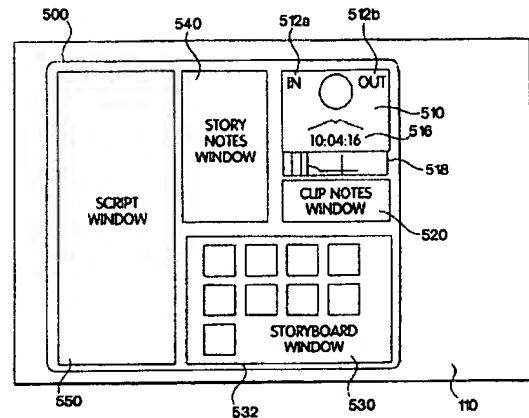


Fig. 11

*Loveman* specifically indicates that:

The viewing window 510 displays a low resolution video component of low resolution media data to be viewed and edited on the journalist workstation 110. The viewing window also displays the time code 516 of the video being displayed, machine controls 518, and editing functions such as mark in 512a and mark out 512b buttons.

Thus, Appellants respectfully submit that *Loveman* only discloses displaying a timecode of the low resolution media data in viewing window 510. However, there is no teaching or suggestion that the timecode in question is “superimposed” on individual frames of the low resolution media data. Rather, *Loveman* discloses that the timecode information is stored in a separate file, as discussed in col. 6, lines 37-40, *e.g.*, “the mapping is achieved by storing file identification information and timecode data in a file.”

Thus, Appellants respectfully submit that it cannot reasonably be held that *Loveman* teaches or suggests timestamps that are “superimposed” on individual image frames, as a different method for tracking timestamps is disclosed therein. This different method also shows

that it is not inherent that timestamps are superimposed on individual frames of the data (as other methods are clearly possible).

Claims 41 and 66 recite similar limitations, and hence are submitted to be patentable for at least the same reasons.

Additionally, regarding claim 79, Appellants respectfully submit that none of the applied references teach or suggest that “the ingest system performs a verification process to determine correspondence between the content having a first format and the content having a second format.”

Specifically, the Examiner alleges that *Loveman* discloses the claimed “verification process” in col. 6, lines 31-67. Appellants respectfully disagree, and submit that the cited portion of *Loveman* discloses only an initial mapping of a correspondence between first and second compressed versions. However, *Loveman* fails to teach or suggest that this initial mapping is ever “verified.”

Claims 80 and 81 recite similar limitations, and are submitted to be patentable for at least the same reasons.

Additionally, regarding claim 98, Appellants respectfully submit that none of the applied references teach or suggest that “the third format comprises thumbnail representations of the content having a first format, and is used as metadata of the first format.”

Specifically, the Examiner alleges that *Loveman* discloses the claimed use of data of a third format as “metadata of the first format” in cols. 17 and 18. Appellants respectfully disagree, and submit that the cited portion of *Loveman* discloses only the playing of the low resolution content itself in viewing window 510 (as discussed above). This low resolution data cannot be metadata of itself.

Claims 99 and 100 recite similar limitations, and are submitted to be patentable for at least the same reasons.

Additionally, regarding claim 101, Appellants respectfully submit that none of the applied references teach or suggest “the edit station is for searching the content having the first format, reviewing the content of the third format as metadata of the content having the first format, and preparing a storyboard using the content having the third format,” for at least the same reasons discussed above with respect to claim 98.

Claims 102 and 103 recite similar limitations, and hence are submitted to be patentable for at least the same reasons.

VII(9). Dependent Claims 5, 30 and 55

As noted above, the May 13, 2005 Final *Office Action* rejects, under 35 U.S.C. § 103(a), claims 5, 30 and 55 as being unpatentable over *Loveman* in view *Clarin* and a printout from *VideoUniversity.com* (hereinafter “*VideoUniversity*”). Applicant respectfully submits that dependent claims 5, 30 and 55 are allowable at least by virtue of their dependency.


**VIII. CONCLUSION**

In view of the foregoing differences between appealed claims 1-103 and the applied reference, Appellants respectfully submit that appealed claims 1-103 are patentable over the applied reference.

Unless a check is submitted herewith for the fee required under 37 C.F.R. §41.37(a) and 1.17(c), please charge said fee to Deposit Account No. 19-4880.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
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WASHINGTON OFFICE

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CUSTOMER NUMBER

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**CLAIMS APPENDIX**

**CLAIMS 1-103 ON APPEAL:**

1. (Previously Presented) A content production system, comprising:  
  
an ingest system for receiving content in an initial format and reformatting the received content into content having a first format with a lower resolution, content having a second format with a higher resolution, and content having a third format with a lowest resolution;  
  
storage for storing the lower resolution content and lowest resolution content in a fast access storage and higher resolution content in a high capacity storage, wherein the fast access storage is accessible more quickly than the high capacity storage;  
  
an edit station for selecting a portion of content from the lower resolution content using a browser; and  
  
retrieval apparatus for receiving a description of the selected portion from the edit station and retrieving a portion of content from the higher resolution content corresponding to the selected portion.
2. (Original) The system of claim 1, wherein the first format comprises low resolution digitized video content.
3. (Original) The system of claim 1, wherein the second format comprises high resolution digitized video content.
4. (Original) The system of claim 1, wherein the first format comprises MPEG1.

5. (Original) The system of claim 1, wherein the second format comprises MPEG2.
6. (Previously Presented) The system of claim 1, wherein the ingest system is web-based.
7. (Original) The system of claim 1, wherein the edit station is web-based.
8. (Original) The system of claim 1, wherein a portion of the lower resolution content is stored in fast-access storage during editing.
9. (Original) The system of claim 8, wherein the fast-access storage consists of at least one of: disk storage, optical storage, and memory.
10. (Original) The system of claim 1, wherein the higher resolution content is stored on tape storage.
11. (Original) The system of claim 1, wherein the initial format is analog.
12. (Previously Presented) The system of claim 1, further comprising an apparatus for adding metadata to the stored content.

13. (Original) The system of claim 12, wherein the metadata consists of at least one of: user input, legacy data, a thumbnail, a storyboard, transcription information, speech-to-text processing of an audio stream associated with the input content, and speech-to-text annotation.

14. (Original) The system of claim 1, wherein timecodes identifying corresponding portions of the lower resolution and higher resolution content are stored with the lower resolution and higher resolution content, respectively.

15. (Original) The system of claim 14, wherein timecodes associated with the selected portions of the lower resolution content are used by the retrieval apparatus to retrieve the corresponding portions of higher resolution content.

16. (Previously Presented) The system of claim 14, wherein the ingest system superimposes timecodes on individual image frames of the lower resolution content so that the timecodes may be read at the edit station after storage.

17. (Original) The system of claim 1, wherein the edit station further comprises software for searching the lower resolution content based on user-specified criteria.

18. (Original) The system of claim 1, wherein the edit station further comprises an interface for viewing the lower resolution content and selecting desired portions therefrom.

19. (Original) The system of claim 1, wherein the edit station further comprises software for creating a list of selected portions of lower resolution content.

20. (Original) The system of claim 19, wherein the edit station further comprises software for modifying the list.

21. (Original) The system of claim 19, wherein the edit station provides the list to the retrieval apparatus.

22. (Previously Presented) A content editing system, comprising:  
storage storing content in a low resolution format and content in a lowest resolution format in a fast access storage and storing content in a high resolution format in a high capacity storage, wherein the fast access storage is accessible more quickly than the high capacity storage;  
a server hosting a content-editing application enabling selection of a portion of the low resolution content;  
a plurality of clients in communication with the server, each client enabled to run the content-editing application to select the portion of the low resolution content using a browser and from the selected portion, create an edit list for use in retrieving a corresponding portion of the high resolution content.

23. (Original) The system of claim 22, wherein the edit list is sharable with others of the plurality of clients through the server.

24. (Previously Presented) A content editing software application, comprising:

server software enabling selection of a portion of low resolution content and lowest resolution content from a first stored file in a fast access storage accessible to a server;

client software for selecting the portion of the low resolution content using a browser and from the selected portion, creating an edit list for use in retrieving corresponding high resolution content from a second stored file in a high capacity storage accessible to the server, wherein the fast access storage is accessible more quickly than the high capacity storage.

25. (Original) The application of claim 24, wherein the edit list is sharable with other clients through the server.

26. (Previously Presented) A method for producing content, comprising the steps of:

receiving content in an initial format and reformatting the received content into content having a first format with a lower resolution, content having a second format with a higher resolution, and content having a third format with a lowest resolution;

storing the lower resolution content and lowest resolution content in a fast access storage and the higher resolution content in a high capacity storage, wherein the fast access storage is accessible more quickly than the high capacity storage;

selecting a portion of content from the lower resolution content using a browser; and

receiving a description of the selected portion and retrieving a portion of content from the higher resolution content corresponding to the selected portion.

27. (Original) The method of claim 26, wherein the first format comprises low resolution digitized video content.

28. (Original) The method of claim 26, wherein the second format comprises high resolution digitized video content.

29. (Original) The method of claim 26, wherein the first format comprises MPEG1.

30. (Original) The method of claim 26, wherein the second format comprises MPEG2.

31. (Previously Presented) The method of claim 26, wherein the ingest system is web-based.

32. (Original) The method of claim 26, wherein the method is web-based.

33. (Original) The method of claim 26, wherein a portion of the lower resolution content is stored in fast-access storage during editing.

34. (Original) The method of claim 33, wherein the fast-access storage consists of at least one of: disk storage, optical storage, and memory.

35. (Original) The method of claim 26, wherein the higher resolution content is stored on tape storage.

36. (Original) The method of claim 26, wherein the initial format is analog.

37. (Original) The method of claim 26, further comprising the step of adding metadata to the stored content.

38. (Original) The method of claim 37, wherein the metadata consists of at least one of: user input, legacy data, a thumbnail, a storyboard, transcription information, speech-to-text processing of an audio stream associated with the input content, and speech-to-text annotation.

39. (Original) The method of claim 26, wherein timecodes identifying corresponding portions of the lower resolution and higher resolution content are stored with the lower resolution and higher resolution content, respectively.

40. (Original) The method of claim 39, wherein timecodes associated with the selected portions of the lower resolution content are used to retrieve the corresponding portions of higher resolution content.

41. (Previously Presented) The method of claim 39, wherein timecodes are superimposed on individual image frames of the lower resolution content so that the timecodes may be read after storage.

42. (Original) The method of claim 26, further comprising the step of searching the lower resolution content based on user-specified criteria.

43. (Original) The method of claim 26, further comprising the step of viewing the lower resolution content and selecting desired portions therefrom.

44. (Original) The method of claim 26, further comprising the step of creating a list of selected portions of lower resolution content.

45. (Original) The method of claim 44, further comprising the step of modifying the list.

46. (Original) The method of claim 44, wherein the description further comprises the list.

47. (Previously Presented) A content editing method, comprising the steps of:

storing content in a low resolution format and content in a lowest resolution format in a fast access storage and storing content in a high resolution format in a high capacity storage, wherein the fast access storage is accessible more quickly than the high capacity storage;

enabling selection of a portion of the low resolution content;

selecting the portion of the low resolution content using a browser and from the selected portion, creating an edit list for use in retrieving a corresponding portion of the high resolution content.

48. (Original) The method of claim 47, wherein the edit list is sharable by a plurality of users.

49. (Previously Presented) A content editing method, comprising the steps of:  
selecting a portion of lowest resolution content and low resolution content from a first stored file in a fast access storage using a browser and from the selected portion, creating an edit list for use in retrieving corresponding high resolution content from a second stored file in a high capacity storage, wherein the fast access storage is accessible more quickly than the high capacity storage.

50. (Original) The method of claim 49, wherein the edit list is sharable by a plurality of users.

51. (Previously Presented) A program product containing instructions executable by a computer, the instructions embodying a method for producing content, comprising the steps of:

receiving content in an initial format and reformatting the received content into content having a first format with a lower resolution, content having a second format with a higher resolution, and content having a third format with a lowest resolution;

storing the lower resolution content and lowest resolution content in a fast access storage and the higher resolution content in a high capacity storage, wherein the fast access storage is accessible more quickly than the high capacity storage;

selecting a portion of content from the lower resolution content using a browser; and

receiving a description of the selected portion and retrieving a portion of content from the higher resolution content corresponding to the selected portion.

52. (Previously Presented) The program product of claim 51, wherein the first format comprises low resolution digitized video content.

53. (Previously Presented) The program product of claim 51, wherein the second format comprises high resolution digitized video content.

54. (Previously Presented) The program product of claim 51, wherein the first format comprises MPEG1.

55. (Previously Presented) The program product of claim 51, wherein the second format comprises MPEG2.

56. (Previously Presented) The program product of claim 51, wherein the ingest system is web-based.

57. (Previously Presented) The program product of claim 51, wherein the method is web-based.

58. (Previously Presented) The program product of claim 51, wherein a portion of the lower resolution content is stored in fast-access storage during editing.

59. (Previously Presented) The program product of claim 58, wherein the fast-access storage consists of at least one of: disk storage, optical storage, and memory.

60. (Previously Presented) The program product of claim 51, wherein the higher resolution content is stored on tape storage.

61. (Previously Presented) The program product of claim 51, wherein the initial format is analog.

62. (Previously Presented) The program product of claim 51, further comprising the step of adding metadata to the stored content.

63. (Previously Presented) The program product of claim 62, wherein the metadata consists of at least one of: user input, legacy data, a thumbnail, a storyboard, transcription information, speech-to-text processing of an audio stream associated with the input content, and speech-to-text annotation.

64. (Previously Presented) The program product of claim 51, wherein timecodes identifying corresponding portions of the lower resolution and higher resolution content are stored with the lower resolution and higher resolution content, respectively.

65. (Previously Presented) The program product of claim 64, wherein timecodes associated with the selected portions of the lower resolution content are used to retrieve the corresponding portions of higher resolution content.

66. (Previously Presented) The program product of claim 64, wherein timecodes are superimposed on individual image frames of the lower resolution content so that the timecodes may be read after storage.

67. (Previously Presented) The program product of claim 51, further comprising the step of searching the lower resolution content based on user-specified criteria.

68. (Previously Presented) The program product of claim 51, further comprising the step of viewing the lower resolution content and selecting desired portions therefrom.

69. (Previously Presented) The program product of claim 51, further comprising the step of creating a list of selected portions of lower resolution content.

70. (Previously Presented) The program product of claim 69, further comprising the step of modifying the list.

71. (Previously Presented) The program product of claim 69, wherein the description further comprises the list.

72. (Previously Presented) A program product containing instructions executable by a computer, the instructions embodying a content editing method, comprising:

storing content in a low resolution format and content in a lowest resolution format in a fast access storage and storing content in a high resolution format in a high capacity storage, wherein the fast access storage is accessible more quickly than the high capacity storage;

enabling selection of a portion of the low resolution content; and

selecting the portion of the low resolution content using a browser and from the selected portion, creating an edit list for use in retrieving corresponding portions of the high resolution content.

73. (Previously Presented) The program product of claim 72, wherein the edit list is sharable by a plurality of users.

74. (Previously Presented) A program product containing instructions executable by a computer, the instructions embodying a content editing method, comprising:

selecting a portion of lowest resolution content and low resolution content from a first stored file in a fast access storage using a browser and from the selected portion, creating an edit list for use in retrieving corresponding high resolution content from a second stored file in a high capacity storage, wherein the fast access storage is accessible more quickly than the high capacity storage.

75. (Previously Presented) The program product of claim 74, wherein the edit list is sharable by a plurality of users.

76. (Previously Presented) A content production system, comprising:

an ingest system for receiving content in an initial format and reformatting the received content into three content formats, each having a different resolution;

storage for storing the content of different resolutions in a fast access storage and a high capacity storage, wherein the fast access storage is accessible more quickly than the high capacity storage;

an edit station for selecting a portion of content from one of the content formats having a middle resolution of the three or more content formats stored in the fast access storage using a browser; and

retrieval apparatus for receiving a description of the selected portion from the edit station and retrieving a portion of content from another of the content formats stored in the high capacity storage corresponding to the selected portion.

77. (Previously Presented) A method for producing content, comprising the steps of:

receiving content in an initial format and reformatting the received content into three content formats, each having a different resolution;

storing the content of different resolutions in a fast access storage and a high capacity storage, wherein the fast access storage is accessible more quickly than the high capacity storage;

selecting a portion of content from one of the content formats having a middle resolution of the three or more content formats stored in the fast access storage using a browser; and

receiving a description of the selected portion of content and retrieving a portion of content from another of the content formats stored in the high capacity storage corresponding to the selected portion.

78. (Previously Presented) A program product containing instructions executable by a computer, the instructions embodying a method for producing content, comprising the steps of:

receiving content in an initial format and reformatting the received content into three content formats, each having a different resolution;

storing the content of different resolutions in a fast access storage and a high capacity storage, wherein the fast access storage is accessible more quickly than the high capacity storage;

selecting a portion of content from one of the content formats having a middle resolution of the three or more content formats stored in the fast access storage using a browser; and

receiving a description of the selected portion of content and retrieving a portion of content from another of the content formats stored in the high capacity storage corresponding to the selected portion.

79. (Previously Presented) The system of claim 1, wherein the ingest system performs a verification process to determine correspondence between the content having a first format and the content having a second format.

80. (Previously Presented) The method of claim 26, further comprising the step of performing a verification process to determine correspondence between the content having a first format and the content having a second format.

81. (Previously Presented) The program product of claim 51, further comprising the step of performing a verification process to determine correspondence between the content having a first format and the content having a second format.

82. (Previously Presented) The system of claim 1, wherein the retrieval apparatus is also for converting the portion of content from the higher resolution into content having a third format for final editing or broadcast.

83. (Previously Presented) The method of claim 26, further comprising the step of converting the portion of content from the higher resolution into content having a third format for final editing or broadcast.

84. (Previously Presented) The program product of claim 51, further comprising the step of converting the portion of content from the higher resolution into content having a third format for final editing or broadcast.

85. (Previously Presented) The system of claim 22, wherein:  
the server hosting a content-editing application also enables access and viewing of the low resolution content; and  
each of the plurality of clients are enabled to run the content-editing application to search and view the low resolution content.

86. (Previously Presented) The system of claim 1, wherein the fast access storage is a digital library with media streaming capability.

87. (Previously Presented) The content editing system of claim 22, wherein the fast access storage is a digital library with media streaming capability.

88. (Previously Presented) The content editing software application of claim 24, wherein the fast access storage is a digital library with media streaming capability.

89. (Previously Presented) The method for producing content of claim 26, wherein the fast access storage is a digital library with media streaming capability.

90. (Previously Presented) The content editing method of claim 47, wherein the fast access storage is a digital library with media streaming capability.

91. (Previously Presented) The content editing method of claim 49, wherein the fast access storage is a digital library with media streaming capability.

92. (Previously Presented) The program product of claim 51, wherein the fast access storage is a digital library with media streaming capability.

93. (Previously Presented) The program product of claim 72, wherein the fast access storage is a digital library with media streaming capability.

94. (Previously Presented) The program product of claim 74, wherein the fast access storage is a digital library with media streaming capability.

95. (Previously Presented) The content production system of claim 76, wherein the fast access storage is a digital library with media streaming capability.

96. (Previously Presented) The method for producing content of claim 77, wherein the fast access storage is a digital library with media streaming capability.

97. (Previously Presented) The program product of claim 78, wherein the fast access storage is a digital library with media streaming capability.

98. (Previously Presented) The system of claim 1, wherein the third format comprises thumbnail representations of the content having a first format, and is used as metadata of the first format.

99. (Previously Presented) The method of claim 26, wherein the third format comprises thumbnail representations of the content having a first format, and is used as metadata of the first format.

100. (Previously Presented) The program product of claim 51, wherein the third format comprises thumbnail representations of the content having a first format, and is used as metadata of the first format.

101. (Previously Presented) The system of claim 1, wherein the edit station is for searching the content having the first format, reviewing the content of the third format as metadata of the content having the first format, and preparing a storyboard using the content having the third format.

102. (Previously Presented) The method of claim 26, wherein the selecting of the portion of content from the lower resolution comprises searching the content having the first format, reviewing the content of the third format as metadata of the content having the first format, and preparing a storyboard using the content having the third format.

103. (Previously Presented) The program product of claim 51, wherein the selecting of the portion of content from the lower resolution comprises searching the content having the first format, reviewing the content of the third format as metadata of the content having the first format, and preparing a storyboard using the content having the third format.

**EVIDENCE APPENDIX**

This Appendix is Not Applicable to the instant Appeal.

**RELATED PROCEEDINGS APPENDIX**

This Appendix is Not Applicable to the instant Appeal.